

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 98-848

November 16, 1998

NORTHLAND TELEPHONE COMPANY OF MAINE      ORDER  
and SIDNEY TELEPHONE COMPANY,  
Request for Waiver of Chapter 25  
Subsection 3 (D)

WELCH, Chairman; NUGENT, and DIAMOND Commissioner

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## **I. SUMMARY**

In this Order, we grant the request of Northland Telephone Company, Inc. and Sidney Telephone Company for a waiver of subsection 3(D) of Chapter 25 of the Commission's rules.

## **II. BACKGROUND**

On October 30, 1998, Northland Telephone Company of Maine, Inc. and Sidney Telephone Company (collectively "NTC") filed a request for a waiver of subsection 3(D) of Chapter 25 of the Commission's rules that requires NTC to provide a Local Exchange Carrier Coin-Operated Telephone in every area served by each central office. NTC is seeking this waiver as it is selling all of its payphones to Versetel Communications, Inc. (Versetel) of New Hampshire and will no longer be operating payphones in its service area. Versetel has contractually agreed to fulfill all of NTC's obligations with respect to Commission rules, including Chapter 25. This contractual obligation should ensure that NTC's service area will continue to receive adequate payphone service.

## **III. DECISION**

We exercise our authority outlined in section 8 and grant NTC's request for a waiver of subsection 3(D). NTC has shown good cause and the waiver is not inconsistent with the intent of this Chapter as payphones will continue to exist in all of NTC's service area. NTC shall inform the Commission if it becomes aware of any exchange that is to have payphone service discontinued.

Nothing in this decision, however limits the Commission's authority or responsibility under applicable state or Federal law to address matters concerning public-interest payphones. the waiver granted herein does not free NTC from any public-interest payphone obligation which the Commission, pursuant to appropriate process, may determine.

Therefore, we

O R D E R

1. That Northland Telephone Company, Inc. and Sidney Telephone Company be granted waivers of subsection 3(D) of Chapter 25 of the Commission's rules.

Dated at Augusta, Maine this 16th day of November, 1998.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.